

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Twin City Fire Insurance Company,	)	Civil Action No. 4:14-cv-03794-RBH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
International Knife & Saw, Inc.,	)	<b>ORDER</b>
a South Carolina corporation;	)	
International Knife & Saw, Inc.,	)	
a Quebec Corporation; and	)	
International Knife and Saw de Mexico,	)	
S.A. DE C.V., a Mexican variable capital	)	
corporation,	)	
	)	
Defendants.	)	
	)	

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This action was originally filed on September 26, 2014, and summonses were issued on September 29, 2014. However, the docket reflects no further activity on the case.

The Federal Rules of Civil Procedure require a plaintiff to file proof of service of a defendant pursuant to Rule 4(l); however, as of the date of this Order the plaintiff has not filed such. It must be noted that pursuant to Fed.R.Civ.P. 4(m), service of the summons and complaint must generally be effected within 120 days after the filing of the complaint. If the plaintiff fails to comply within such time limitation, the court may on its own initiative dismiss the action after notice to the plaintiff. See Fed.R.Civ.P. 4(m); Local Rule 4.01. Therefore, this court hereby provides notice to the plaintiff that it will dismiss this action without prejudice ten days from the date of this Order as to Defendant International Knife & Saw, Inc., a South Carolina corporation, if proof of service has not been filed within that time.

The remaining defendants, International Knife & Saw, Inc., a Quebec corporation, and

International Knife & Saw de Mexico, S.A. de C.V., a Mexican variable capital corporation, are foreign corporations. Rule 4(m) provides that it does not apply to “service in a foreign country under Rule 4(f) or 4(j)(1).” However, as a significant amount of time has passed since the lawsuit was initiated, the Court orders the plaintiff to file a status report showing why these defendants have not been served and regarding any attempts at service on them **within ten (10) days**. Counsel should advise the Court when they reasonably expect to perfect service. They should also be aware that the Court will not extend time for service indefinitely. Upon receipt of the status report, if service has not been perfected on these defendants, the Court will issue a subsequent order addressing a deadline for service.

**IT IS SO ORDERED.**

s/ R. Bryan Harwell

R. Bryan Harwell  
United States District Court Judge

February 3, 2015  
Florence, South Carolina